

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 15-24583-JAD
	:	
LARRY P. ABELS,	:	
	:	Chapter: Chapter 13
Debtor.	:	
	:	Related Doc. Nos. 42
	:	
	:	Doc. No.
	:	
	:	

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

I. PLAN CONFIRMATION:

IT IS HEREBY ORDERED that the **Chapter 13 Plan dated August 9, 2016**, is **CONFIRMED *as modified*** at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. Only those provisions which are checked below apply to this case:

- ☐ **A.** For the remainder of the Plan term, the periodic Plan payment is amended to be \$_____ as of _____. Debtor(s) counsel shall file a motion to amend the income attachment order within five (5) days of the date of this Order.
- ☐ **B.** The length of the Plan is increased to a total of _____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ **C.** Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees.

***A final plan conciliation conference will be held on _____ at
_.m., in Room 3251 US Steel Tower, 600 Grant Street, Pittsburgh,
Pennsylvania 15219.***

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

☐ **D.** Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. § 506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. § 507, and all objections to claims.

☐ **E.** The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

☐ **F.** _____ shall be paid monthly payments of \$ _____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.

☐ **G.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: _____.

☒ **H. Additional Terms: The Pennsylvania Department of Revenue Claim #4 shall govern in all respects.**

II. IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan: Pursuant to Fed.R. Bankr. P. 2002(b), this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall

be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to Retain Brokers, Sales Agents, or Other Professionals.

If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Debtor(s) counsel or (Debtor(s), if not represented by counsel), must review all proofs of claim within thirty (30) days after the claims bar date. All objections to pre-petition claims shall be filed within ninety (90) days after the claims bar date, thereafter allowing at least thirty (30) days for a response.

D. Motions or Complaints Pursuant to §§ 506, 507 or 522. All actions to determine the priority, avoidability or extent of liens, all actions pursuant to 11 U.S.C. §§ 506, 507 and 522 shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within ten (10) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) also shall file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claims as filed causes the Plan to be underfunded.

III. IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to 11 U.S.C. § 1322(b)(2), nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on Debtor(s) or counsel for Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payment shall notify Trustee, Debtor(s) Counsel, and Debtor(s) at least twenty (20) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with W.PA.LBR 2016-1 before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a ***Certificate of Default and Request for Dismissal of the Case*** in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an ***Affidavit of Default*** by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

BY THE COURT,



JEFFERY A. DELLER^{amt}

Chief United States Bankruptcy Judge

Dated: November 2, 2016

FILED

11/2/16 10:35 am

CLERK

U.S. BANKRUPTCY

COURT - WDPa

cc: All Parties In Interest to be served by Clerk in 5 days

Certificate of Notice Page 5 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Larry P. Abels
 Debtor

Case No. 15-24583-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: aala
 Form ID: pdf900

Page 1 of 2
 Total Noticed: 45

Date Rcvd: Nov 02, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 04, 2016.

db +Larry P. Abels, 1086 Meridian Road, Renfrew, PA 16053-9714
 cr +Peoples TWP, LLC, Attn: Dawn Lindner, 225 North Shore Drive, Pittsburgh, PA 15212-5860
 cr +William J Gass, 280 Anderson Road, Butler, PA 16002-8822
 14205187 AMERICAN EXPRESS BANK, FSB, C/O BECKETT AND LEE LLP, PO BOX 3001, MALVERN, PA 19355-0701
 14153136 #Admiral Craft Equipment Corp, PO Box 9014, Hicksville, NY 11802-9014
 14153138 +American Express, PO Box 981537, El Paso, TX 79998-1537
 14153139 +Armstrong Cable, 437 N Main Street, Butler, PA 16001-4358
 14153140 Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
 14172282 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14153141 Chase, Attn: Customer Service Research, Mail Code: OH4-7302, P.O. Box 24696,
 Columbus, OH 43224-0696
 14153143 +Chase Visa, P.O. Box 15298, Wilmington, DE 19850-5298
 14153142 Chase Visa, PO Box 15298, Wilmington, DE 19886-5153
 14153144 +Citizens Bank, One Citizens Plaza, Providence, RI 02903-1339
 14153145 +Citizens Bank, PO Box 7000, Providence, RI 02940-7000
 14233792 +Citizens Bank of PA, N.A., Attn: Charles M. Koutsogiane, One Citizens, Dr, ROP30B,
 Riverside R.I 02915-3019
 14231224 +Citizens Bank, N.A., 1 Citizens Drive, ROP15B, Riverside RI 02915-3019
 14177993 +First Data Merchant Services, 4000 Coral Ridge Drive (C-230), Coral Springs, FL 33065-7614
 14153148 +Guardian Protection Services, 174 Thorn Hill Road, Warrendale, PA 15086-7528
 14153149 +HIBU INC FKA Yellowbook inc, PO Box 3162, Cedar Rapids, IA 52406-3162
 14208349 +Hibu Inc f/k/a Yellowbook Inc, C/O RMS Bankruptcy Recovery Services, P. O. Box 361345,
 Columbus, OH 43236-1345
 14177996 +Michael J. Pater, Attorney at Law, 101 E. Diamond Street, Suite 202,
 Butler, PA 16001-5944
 14177998 +Northwest Savings Bank, 905 Main Street, Pittsburgh, PA 15215-2301
 14153152 +PMF Rentals, 124 Plunkett Dr, Zelienople, PA 16063-8716
 14231782 +PNC BANK, N.A., PO BOX 94982, CLEVELAND, OHIO 44101-4982
 14153153 PNC Bank MT2, 2730 Liberty Avenue, Pittsburgh, PA 15265-0001
 14153150 +Penn Center Complex, c/o Mike Pater, 108 E Diamond St, Suite 202, Butler, PA 16001-5947
 14153151 Peoples TWP Gas, PO Box 747105, Pittsburgh, PA 15274-7105
 14177999 Rauch-Milliken International Inc., PO Box 8390, Metairie, LA 70011-8390
 14153154 Sheetz Business Edge, c/o Wex Bank, P.O. Box 6293, Carol Stream, IL 60197-6293
 14153155 +Specialty Equipment Sales, 5705 Valley Belt Road, Independence, OH 44131-1421
 14178000 +William J. Glass, c/o Leo M. Stepanion Sr., 222 S. Main Street, Butler, PA 16001-5930

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscedi@recoverycorp.com Nov 03 2016 01:41:25
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
 Miami, FL 33131-1605
 cr +E-mail/Text: adjustor@westaircomm.com Nov 03 2016 01:31:29
 West Aircomm Federal Credit Union, PO Box 568, Beaver, PA 15009-0568
 14153137 +E-mail/Text: bkr@cardworks.com Nov 03 2016 01:31:24 Advanta, PO Box 660676,
 Dallas, TX 75266-0676
 14193532 E-mail/Text: bkr@cardworks.com Nov 03 2016 01:31:24 Advanta Bank Corporation,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14153147 E-mail/Text: mrdiscen@discover.com Nov 03 2016 01:31:29 Discover Card, PO Box 30943,
 Salt Lake City, UT 84130
 14159922 E-mail/Text: mrdiscen@discover.com Nov 03 2016 01:31:29 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14177997 +E-mail/PDF: pa_dc_claims@navient.com Nov 03 2016 01:41:25 Navient, PO Box 9500,
 Wilkes Barre, PA 18773-9500
 14195599 E-mail/PDF: pa_dc_litigation@navient.com Nov 03 2016 01:41:25
 Navient Solutions, Inc. on behalf of, United Student Aid Funds, Inc.,
 Attn: Bankruptcy Litigation Unit E3149, PO Box 9430, Wilkes Barre, PA 18773-9430
 14179258 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 03 2016 01:31:47
 Pennsylvania Department of Revenue, Bankruptcy division, P O Box 280946,
 Harrisburg P A 17128-0946
 14158952 E-mail/PDF: rmscedi@recoverycorp.com Nov 03 2016 01:42:11
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605
 14153158 +E-mail/Text: adjustor@westaircomm.com Nov 03 2016 01:31:29 West Aircomm FCU, P.O. Box 568,
 Beaver, PA 15009-0568
 14230032 +E-mail/Text: adjustor@westaircomm.com Nov 03 2016 01:31:29
 West Aircomm Federal Credit Union, 485 Buffalo Street, Beaver, PA 15009-2098
 14153159 E-mail/Text: bankruptcy@firstenergycorp.com Nov 03 2016 01:32:03 West Penn Power,
 1310 Fairmont Ave, Fairmont, WV 26554-3526
 14191175 +E-mail/Text: bankruptcy@firstenergycorp.com Nov 03 2016 01:32:03 West Penn Power,
 5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 14

District/off: 0315-2

User: aala
Form ID: pdf900

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Total Noticed: 45

Date Rcvd: Nov 02, 2016

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr JPMorgan Chase Bank, National Association
14153156 Suzette Abels
14153157 Suzette Abels
14153146* +Citizens Bank, PO Box 7000, Providence, RI 02940-7000
14177994* +First Data Merchant Services, 4000 Coral Ridge Drive (C-230), Coral Springs, FL 33065-7614
14177995* +HIBU INC FKA Yellowbook inc, PO Box 3162, Cedar Rapids, IA 52406-3162
14153160* West Penn Power, 1310 Fairmont Ave, Fairmont, WV 26554-3526

TOTALS: 3, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 04, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 2, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor JPMorgan Chase Bank, National Association
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com
Andrew M. Menchyk, Jr. on behalf of Creditor William J Gass amm@stepmenlaw.com
Erin P. Dyer on behalf of Creditor West Aircomm Federal Credit Union
erindy@wvlegalcounsel.com
Kenneth Steidl on behalf of Debtor Larry P. Abels julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com; ifriend@steidl-steinberg.com; asteidl@steidl-steinberg.com; leslie.
nebel@steidl-steinberg.com; todd@steidl-steinberg.com; cgoga@steidl-steinberg.com
Office of the United States Trustee ustpre03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples TWP, LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 7